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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,062	09/01/2000	Wesley G. Brewer	11587 M-10325 US	5434
36257	7590	11/19/2004	EXAMINER	
PARSONS HSUE & DE RUNTZ LLP 655 MONTGOMERY STREET SUITE 1800 SAN FRANCISCO, CA. 94111			VO, TIM T	
			ART UNIT	PAPER NUMBER
			2112	

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/653,062

Applicant(s)

BREWER ET AL.

Examiner

Tim T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/26/04
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Part III DETAILED ACTION

Notice to Applicant(s)

This application has been examined. Claims 11-16 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 11, 13-16 are rejected under 35 U.S.C. § **102(b)** as being anticipated by Harari et al. patent number 5,887,145 referred herein after "Harari".

As for claims 11, Harari teaches a data storage and transfer system including an enclosed rectangular shaped memory card and an enclosed rectangular shaped input-output card, wherein:

(A) the memory card comprising:

first and second sets of externally accessible electrical contacts positioned along respective first and second edges thereof (see figures 1, 3-4, removable mother card 10 having edges left and right of the card);

a re-programmable non-volatile memory contained therein for the storage of data (see figure 4, EPROM 52),

a controller contained therein, the controller being connected to the memory and to the first and second sets of electrical contacts (see figure 4, processor 50), the controller managing operation of the memory and causing data to be transferred (a) between the memory and through the first set of contacts to a host system connected therewith (see column 7 lines 48-63), and (b) between the memory and through the second set of contacts to the input-output card connected therewith without passing through the first set of contacts (see figures 1, 3-4, right edge of mother card 40), and
(B) the input-output card comprises:

a third set of externally accessible electrical contacts along one edge of thereof with a pattern complementary to that of the second set of contacts (see figure 3, daughter card 20, left edge),

a mechanism provided on an outside of the input-output card along the one edge thereof that mates with the mechanism on the memory card in order to allow removable connection together of the memory and input-output cards along their respective second and one edges such that their respective second and third set of electrical contacts mate when the cards are connected together (see figure 3, mother card 40, daughter card 20, wherein the left edge of the daughter card is mated on the right edge of the mother card),

communicating circuits contained therein and connected with the third set of contacts for transferring data therethrough (see figure 3,

daughter card 20, left edge of the daughter card is the third set of contacts), and

a data transmission and reception device connected to the communications circuit for transferring data between the communications circuit and external to the input-output card (see column 15 line 63 to column 16 line 8),

whereby data are transferable between the data transmission and reception device of the input-output card and the flash memory of the memory card through the second and third sets of contacts without passing through the first set of contacts (see figures 1-2, daughter card 20, ROM 52, connector 12, interface 14 and column 9 lines 23-30, wherein the data transmission between the input-output card (daughter card 20) and the flash memory (ROM 52) of the memory card (mother card 10) through the second set (14) and third set (24) without passing through the first set (12)).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claim 12 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Harari in view of Kanno patent number 5,831,533 referred hereinafter "Kanno).

As for claim 12, Harari does not expressly teach input output card included an antenna. However, Kanno teaches a wireless card has wireless communication function and an antenna. Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Kondo into the teachings of Harari because an antenna provided in a wireless card providing a strong signal connections, thereby preventing from disconnection and losing data while in transmitting.

Response to Arguments

3. Applicant's arguments filed 10/26/04 have been fully considered but they are not persuasive.

4. In response to the applicant request for considering IDS filed on 3/6/03, attached is a copy of PTO 1449 filed on 3/6/03 which has been considered by the examiner.

5. In response to the applicant's arguments that Harai does not teach data transfer "(b) between the memory and through the second set of contacts to the input-output card connected therewith without passing through the first set of contact". Figures 1, 3-4 as disclosed by Harai clearly anticipates as claimed. As explained in the previous office action and column 9 lines 23-30, examiner refers the memory card 10, 40 having 2 sets of contacts i.e. wherein the first set is the left (12) and the second set is the right (14) edge of the card 10, 40. Further, the memory card 10, 40 with the second set (right edge with set of contact 14) communicating directly with the third set of the input-output

card (daughter card 20, left edge with contact 24). Figures 1, 3-4, disclose the communication between the memory card 10, 40 and daughter card 20 via the contacts 14 (second set) and 24 (third set) to transferring data from one to another as cited in column 9 lines 23-30 and therefore the communication path between the memory card 10, 40 and daughter card 20 requires only the second set and third set and it does not need to go through the first set (12) of the memory card 10, 40. This teaching is equivalent to what is claimed.

6. In response to the applicant's arguments that Harai does not teach direct transfer recitation of the claims. This argument is moot because the claim's language does not indicate or particularly point out the "direct transfer" but rather as cited as above in phrase (b). The breadth of the claim in phrase (b) requires the communication between the memory card and the input-output card via the second set and third set path without passing the first set. This argument is already explained above.

7. In response to the applicant's arguments that Kano '533 does not suggest the claimed direct transfer structure. As discussed above, Harai teaches direct data transfer from the mother card to the daughter card 20 via second set 14 and third set 24. Harari does not expressly teach input output card included an antenna. However, Kanno teaches a wireless card has wireless communication function and an antenna. Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Kondo into the teachings of Harari because an antenna provided in a wireless card providing a strong

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signal connections, thereby preventing from disconnection and losing data while in transmitting.

8. In response to the applicant's arguments that Harai does not teach the memory card to follow either a MMC or SD standard. Harai teaches personal computer cards including PCMCIA type I, II, III standard. Further, Harai teaches MMC card such as Flash EEPROM PC card as indicated in column 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 7571-272-3642. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571-272-3631. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



11/14/04

Tim T. Vo
Primary Examiner
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